

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:) Case No. 18 B 12891
)
FRANK J. ORLANDINO,) Chapter 13
)
Debtor.) Hon. Carol A. Doyle

**NOTICE OF MOTION OF SANTANDER CONSUMER USA INC., D/B/A CHRYSLER
CAPITAL, AS SERVICER FOR CCAP AUTO LEASE LTD.
TO MODIFY AUTOMATIC STAY**

VIA ELECTRONIC NOTICE:

To: Tom Vaughn (Trustee)
55 East Monroe Street, Suite 3850
Chicago, Illinois 60603

Edwin L. Feld, Esq. (Debtor's Counsel)
Edwin L. Feld & Associates, LLC
1 North LaSalle Street, Suite 1225
Chicago, Illinois 60602

VIA U.S. MAIL:

To: Frank J. Orlandino (Debtor)
3133 Sarah Street
Franklin Park, Illinois 60131

Please take notice that on the 26th day of March, 2019 at 9:30 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Carol A. Doyle, or any judge sitting in his/her stead, in Courtroom 742 of the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, and then and there present the attached *Motion of Santander Consumer USA Inc., d/b/a Chrysler Capital, as servicer for CCAP Auto Lease Ltd. to Modify Automatic Stay*, which has been electronically filed this date with the Clerk of the U.S. Bankruptcy Court for the Northern District of Illinois, a copy of which is hereby served upon you by electronic notice or U.S. Mail.

Respectfully submitted,
SANTANDER CONSUMER USA INC., D/B/A
CHRYSLER CAPITAL, AS SERVICER FOR
CCAP AUTO LEASE LTD.,
Creditor,
By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312) 332-3535
(312) 332-3545 (facsimile)

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the above-named persons by electronic filing or, as noted above, by placing same in a properly addressed and sealed envelope, postage prepaid, and depositing it in the United States Mail at 180 North LaSalle Street, Chicago, Illinois on this 12th day of March, 2019, before the hour of 5:00 p.m.

/s/ Cari A. Kauffman

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)	Case No. 18 B 12891
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FRANK J. ORLANDINO,)	Chapter 13
)	
Debtor.)	Hon. Carol A. Doyle

**MOTION OF SANTANDER CONSUMER USA INC., D/B/A CHRYSLER CAPITAL, AS
SERVICER FOR CCAP AUTO LEASE LTD. TO MODIFY AUTOMATIC STAY**

SANTANDER CONSUMER USA INC., D/B/A CHRYSLER CAPITAL, AS SERVICER FOR CCAP AUTO LEASE LTD. (“Santander”), a creditor herein, by its attorneys, the law firm of Sorman & Frankel, Ltd., respectfully requests this Court, pursuant to Section 362 of the Bankruptcy Code, 11 U.S.C. §362 (West 2019), and such other Sections and Rules may apply, to enter an Order modifying the automatic stay provided therein. In support thereof, Santander states as follows:

1. On May 2, 2018, Frank J. Orlandino (“Debtor”) filed a Voluntary Petition for Relief under Chapter 13 of the Bankruptcy Code. Thereafter, on June 5, 2018, Debtor filed an Amended Chapter 13 Plan, which provides for assumption of the lease with Santander, and which was confirmed on June 26, 2018.

2. Santander is a lessor of the Debtor with respect to a lease on a 2018 Jeep Grand Cherokee motor vehicle bearing a Vehicle Identification Number of 1C4RJFAG7JC223039 (the “Vehicle”). (See Ex. “A”).

3. As set forth in the Lease Agreement attached as Exhibit “A”, Debtor was required to tender equal weekly payments to Santander, each in the sum of \$398.40. (See Ex. “A”).

4. Debtor has failed to make required payments to Santander due on and after October 15, 2018, resulting in a current default of \$1,986.60.

5. The current total outstanding balance due to Santander from the Debtor for the Vehicle is \$33,917.20.

6. Debtor has failed to provide Santander or its counsel with proof of a valid full coverage insurance policy for the Vehicle identifying Santander as the lienholder/loss payee.

7. As such, Santander seeks relief from the automatic stay so that Santander may take possession of and sell the Vehicle and apply the sales proceeds to the balance due from Debtor.

8. Debtor has not offered, and Santander is not receiving, adequate protection for its secured interest or depreciating value. Further, Debtor has no equity in the Vehicle and the Vehicle is not necessary to an effective reorganization by Debtor.

9. Santander will suffer irreparable injury, harm, and damage should it be delayed in taking possession of the Vehicle and foreclosing its security interest therein.

10. Santander requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, Santander Consumer USA Inc., d/b/a Chrysler Capital, as servicer for CCAP Auto Lease Ltd. respectfully requests that this Court enter an Order, as attached hereto, modifying the automatic stay provided by Section 362 of the Bankruptcy Code to permit Santander to take immediate possession of and foreclose its security interest in the 2018 Jeep Grand Cherokee motor vehicle bearing a Vehicle Identification Number of 1C4RJFAG7JC223039; and, for such other, further, and different relief as this Court deems just and proper.

Respectfully submitted,
SANTANDER CONSUMER USA INC., D/B/A
CHRYSLER CAPITAL, AS SERVICER FOR
CCAP AUTO LEASE LTD.,
Creditor,
By: /s/ Cari A. Kauffman
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